

## **REMARKS**

Reconsideration of this application is respectfully requested in light of the amendments and remarks made herein.

Claims 1-11 are canceled without prejudice. New claims 12-32 are presented for examination.

Specification paragraph [0264] is amended herein.

### **Rejections Under 35 U.S.C. § 102**

Claims 1-4 and 8-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,818,723 to Dimitri (hereinafter referred to as "Dimitri"). Each of claims 1-4, 8-11 is cancelled herein without prejudice, obviating the rejection of these claims. Applicant may pursue the subject matter of these claims in this or other related applications.

### **Rejections Under 35 U.S.C. § 103**

Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dimitri in view of U.S. Patent No. 5,479,581 to Kleinschnitz (hereinafter referred to as "Kleinschnitz"). Each of claims 5-7 is cancelled herein without prejudice, obviating the rejection of these claims. Applicant may pursue the subject matter of these claims in this or other related applications.

### **Amendment Of Written Description**

Applicant has amended herein paragraph [264] of the written description to better describe the claimed invention. Each of the amendments of paragraph [264] is readily supported and illustrated by at least FIGS. 30 and 38 of the application as filed, and thus Applicants amendments add no new matter.

### **New Claims Presented Herein**

New claim 12 features "a shelf system...; a user definable space comprised within said interior space and capable of comprising at least one drive wherein said at least one drive is adapted to read and write data to and from one of said data cartridges when cooperating

with said data cartridge; a magazine transport space interposed between said shelf system and said user definable space; a magazine transport device capable of moving one of said first or second data cartridge magazines within said magazine transport space.” This feature is exemplified in FIG. 38 of the specification of the present invention, and thus no new matter is added by the presentation of new claim 12. New claims 13-20 each depend directly from independent claim 12. None of the prior art of record, including Dimitri or Dimitri in view of Kleinschnitz, appears to describe, teach, or suggest the inventions of claims 12-20, and thus these claims are believed allowable.

New claim 21 features the method of “moving said data cartridge in said magazine transport space wherein said magazine transport space is between said shelf system and a user definable space opposite said shelf system.” This feature is exemplified in FIG. 38 and FIGS. 31A-31L of the specification of the present invention, and thus no new matter is added by the presentation of new claim 21. New claims 22-24 each depend directly from independent claim 21. None of the prior art of record, including Dimitri or Dimitri in view of Kleinschnitz, appears to describe, teach, or suggest the invention of claim 21, and thus claims 21-24 are believed allowable.

New claim 25 features “said shelf system adapted to reside in a vertical plane substantially bounded by a first front face and a first rear face; a user definable space comprised within said interior space and capable of comprising at least one drive wherein said at least one drive is adapted to read and write data to and from one of said data cartridges when cooperating with said data cartridge; said user definable space adapted to reside in a vertical plane substantially bounded by a second front face and a second rear face wherein said second front face opposes said first front face; a magazine transport space interposed between said first front face and said second front face.” New claims 26-32 each depend directly from independent claim 25. None of the prior art of record, including Dimitri or Dimitri in view of Kleinschnitz, appears to describe, teach, or suggest the invention of claim 25, and thus claims 25-32 are believed allowable.

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Change In Correspondence Address

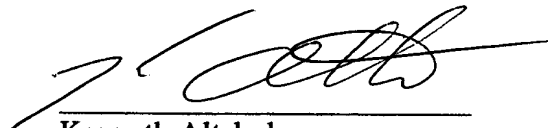
Please note that, by virtue of a "Revocation Of Power Of Attorney With New Power Of Attorney And Change Of Correspondence Address" form filed by Applicant in the present application on April 22, 2005, the correspondence address associated with this application was changed. The new correspondence address is set forth below.

Authorization To Charge Necessary Fees

While no fee is believed due with this submission, the Commissioner is hereby authorized to charge any necessary fees associated with this submission, or credit any overpayment, to Deposit Account No. 50-0289.

Respectfully submitted,

Dated: 9/13/05

  
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